
A BILL FOR AN ACT

RELATING TO THE CYTOMEGALOVIRUS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Congenital cytomegalovirus is the most common
2 cause of birth defects and childhood disabilities in the United
3 States. Approximately one in every one hundred fifty newborn
4 infants is born with the cytomegalovirus and, of those newborn
5 infants, one in every five will suffer a permanent disability.
6 The cytomegalovirus is the leading cause of non-hereditary
7 deafness in children and has the potential to cause intellectual
8 disability, cerebral palsy, seizures, blindness, and brain
9 damage. However, fewer than one in five pregnant women is aware
10 of cytomegalovirus.

11 The purpose of this Act is to raise awareness of the
12 cytomegalovirus by requiring the department of health to
13 establish a public education program to educate and inform
14 pregnant women and women who may become pregnant.

15 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:



1 "§321- Cytomegalovirus public education and testing.

2 (a) The department of health shall establish a public education
3 program to inform pregnant women and women who may become
4 pregnant regarding:

5 (1) The incidence of the cytomegalovirus;

6 (2) The transmission of the cytomegalovirus to pregnant
7 women and women who may become pregnant;

8 (3) Birth defects caused by congenital cytomegalovirus;

9 (4) Methods of diagnosing congenital cytomegalovirus; and

10 (5) Available preventative measures.

11 (b) The department of health shall provide the information
12 described in subsection (a) to:

13 (1) Hospitals licensed pursuant to section 321-14.5;

14 (2) Health care providers offering care to pregnant women
15 and infants;

16 (3) Registered family child care homes;

17 (4) Licensed group child care centers;

18 (5) Licensed group child care homes;

19 (6) Licensed infant and toddler child care centers; and



1 (7) Religious, ecclesiastical, or denominational
2 organizations offering children's programs as a part
3 of worship services.

4 (c) The responsible physician of any newborn infant
5 identified as or suspected of having a hearing impairment
6 pursuant to a screening conducted pursuant to section 321-362.5
7 shall:

8 (1) Ensure that the newborn infant is tested for the
9 cytomegalovirus before the newborn is twenty-one days
10 of age, unless a parent of the newborn infant objects;
11 and

12 (2) Provide to the parents of the newborn infant
13 information regarding:

14 (A) Birth defects caused by congenital
15 cytomegalovirus;

16 (B) The testing requirements for the cytomegalovirus;
17 and

18 (C) Available methods of treating the
19 cytomegalovirus."

20 SECTION 3. (a) The department of health shall convene a
21 working group that includes representatives from the John A.



1 Burns School of Medicine, Hawaii Medical Association, Hawaii
2 State American Congress of Obstetricians and Gynecologists,
3 birthing facilities and providers, and other stakeholders to
4 participate in the development of a public education program to
5 inform and educate pregnant women and women who may become
6 pregnant about cytomegalovirus, and inform and educate
7 healthcare providers who may be responsible for screening,
8 testing, diagnosing, and treating pregnant mothers or newborns
9 with cytomegalovirus.

10 (b) The working group shall submit a report, including
11 recommendations for developing, implementing, and funding the
12 public education program under this Act, to the legislature no
13 later than twenty days prior to the convening of the regular
14 session of 2016.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2016-2017 to
18 implement the public education program established by this Act.

19 The sum appropriated shall be expended by the department of
20 health for the purposes of this Act.

21 SECTION 5. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Cytomegalovirus; Newborn; Infants; Pregnancy; Appropriation

Description:

Requires the DOH to establish a public education program to inform and educate pregnant women and women who may become pregnant about cytomegalovirus. Requires the responsible physician of a newborn infant identified as or suspected of having a hearing impairment to test the newborn infant for the cytomegalovirus. Requires DOH to convene a working group comprising various stakeholders to participate in the development of the public education program. Appropriates funds. Takes effect on 7/1/2050. (SD1)

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